

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

MISC. CIVIL APPLICATION NO. 300 OF 2016

Sou. Sunita Mandar Nevaskar

....Applicant

vs.

Mandar Ramesh Nevaskar

...Respondent

Mr. S.R. Moray, instructed by Mr. V.S. Talkute, for the Applicant.

Respondent present in Chamber in person.

Mr. Rahul Balkrishna Vanarase, brother-in-law of Applicant present in person.

CORAM: S.J. KATHAWALLA, J.

DATE: 18th September, 2017

P.C.

1. Heard the learned Advocate for the Applicant and the Respondent who is present in person and the following order is passed:

(i) Marriage Petition bearing No. 1086 of 2016 filed by the Respondent-husband and pending before the Civil Judge, Senior Division, Pune, shall be converted into a petition for divorce by mutual consent.

(ii) The Respondent undertakes to pay an amount of Rs. 6,50,000/- to the Applicant in full and final settlement of all her claims against the Respondent on or before 7th December, 2017, by way of a demand draft drawn in favour of Sunita Shrikant Pore. The undertaking is accepted.

(iii) On 7th December, 2017, the parties shall appear before the Court of

Civil Judge, Senior Division, Pune, and convert the Marriage Petition No. 1086 of 2016 into a petition for divorce by mutual consent and the Learned Judge shall forthwith grant divorce by mutual consent to the parties. However, before granting the decree of divorce, the Learned Judge shall confirm that the entire amount of Rs. 6,50,000/- is paid to the Applicant-wife by the Respondent.

(iv) The Applicant undertakes that Criminal Misc. Application No. 775 of 2015 filed by her against the Respondent and pending before the Judicial Magistrate, First Class, Malshiras, and Regular Criminal Case No. 59 of 2016 filed by her against the Respondent and pending before the Judicial Magistrate, First Class, Malshiras, shall be unconditionally withdrawn within a period of two weeks from the date of the learned Civil Judge, Senior Division, Pune, granting a decree of divorce by mutual consent.

(v) The Applicant shall from the date of this order until withdrawal not proceed with the the aforesaid proceedings mentioned in clause (iv) above.

(vi) The parties shall withdraw all the allegations made by them against each other.

(vii) Save and except what is recorded/directed herein, the parties have no claim of whatsoever nature against each other.

2. The above Miscellaneous Civil Application is accordingly disposed off.

3. Though the above Application is disposed of, in case of any difficulty, liberty to apply.

(S.J. KATHAWALLA, J.)